

PHILBIN CALLS FOR DEVER.

DEPUTY COMMISSIONER HURRIES HERE FROM SARATOGA.

Edell Calls for a Transcript of Evidence About the Police-Gambler Combine—Glendon Notified to Be Ready to Be Examined—Capt. Vredenburg and Glendon, Peter De Lacy and the Police Telegraph Unit Among the Witnesses Before Jerome Yesterday.

SARATOGA, Aug. 13.—Deputy Police Commissioner William S. Devery, with all his family and all the trunks, left for New York tonight at 8:30 o'clock. The train on which he left here connects at Albany with the Hudson River night boat. He also reaches the State capital in time for any of his passengers who may happen to be in a hurry to get to town to catch the Empire State Express. It was understood, however, at the United States Hotel, where the Deverys were stopping, that the Deputy Commissioner and his family intended to proceed from Albany to New York by water.

The Deputy Commissioner and Commissioner Murphy may find it convenient to deny that it is a fact that the "Big Chief" was called to New York under telegraphic orders from Col. Murphy, who has been required by District Attorney Philbin to produce Devery at the District Attorney's office tomorrow morning. When the orders were delivered to the Deputy Commissioner this afternoon he was still in bed. He sought his couch late last night, or, to put it accurately, early this morning. The "Big Chief," speaking diplomatically, made a night of it last night with a few friends and had a lot of fun. But it was perfectly proper fun, as any man might have when he comes to Saratoga for his vacation.

It is said that the recall rather puzzled Mr. Devery at first. He couldn't quite understand what it meant. Until the despatch was delivered he had not the slightest intention of leaving Saratoga for a couple of weeks. When he finally comprehended the import of the message he told his wife and daughters that they'd have to get out by the first train. There was a lot of work done in the way of trunk packing in a short time and the family was ready for the 8:35 train. It is inferred from the fact that the whole family returned to New York that the Deputy Commissioner concluded that there was little chance of his being able to rejoin his family soon if he left them here.

EVIDENCE FOR ODELL.

Captains and De Lacy Before Jerome—Philbin Gave Devery Another Day.

District Attorney Philbin called on Police Commissioner Murphy yesterday to produce Deputy Commissioner Devery and Wardman Glendon before the District Attorney at once. This was stated at the Criminal Court Building by a man who knew. After calling for Devery and Glendon the District Attorney changed his mind and left the matter open until today. There are no warrants out for either Devery or Glendon. Devery will get here today, it is understood, by the Albany night boat.

It was said by a friend of Wardman Glendon's in the Tenderloin last night that Col. Murphy, through Inspector Cortright, had instructed Glendon yesterday to present himself at the District Attorney's office whenever Mr. Philbin or one of his assistants should send for him.

Justice Jerome, assisted by Frank Moss and Assistant District Attorney Schurman, continued his investigation yesterday to find out how much of Edgar A. Whitney's confession that poolroom proprietors had been warned of raids by the police could be corroborated. After a seven-hour session in the Special Sessions chambers, in the course of which nine witnesses were examined, Justice Jerome was asked what the result was. He said:

"In the testimony taken to-day and yesterday there has been nothing to corroborate the allegations in what we are treating as a complaint—that is, Whitney's confession.

"On the other hand, some of the testimony already taken does corroborate Whitney's statement. Other testimony along different lines, and drawn out by questions asked without special reference to Whitney's statements, has furnished new and valuable evidence.

"This inquiry, which is merely to determine whether or not there is sufficient cause to make arrests, will continue all day to-morrow, anyway, and may last through the week.

"A transcript of Whitney's confession and of all of this testimony is to be sent to the Attorney-General in accordance with a request from Gov. Odell."

As a result of a misunderstanding a police man on duty in Justice Jerome's court brought Whitney into the open court room at noon.

"Take him back," said the Justice, "we will wait this afternoon for a long while, but not in here. He is to be taken to my chambers."

Half an hour later the prisoner was brought up from the Tombs a second time and taken direct to Justice Jerome's private room, where the afternoon session was held.

Whitney was examined alone for a while and thereafter was recalled occasionally to repeat parts of his statement for comparison with the testimony of some of the other witnesses.

The principal witnesses yesterday were Capt. Vredenburg of the Oak Street station, Capt. Cannon of the East Twenty-second Street station, Peter De Lacy, whose poolroom in Park row was closed on Friday just after the Parliament society's bogus trial had been sent out over the Police Headquarters telephone wires, and M. R. Brennan, superintendent of the telephone bureau at Police Headquarters, through which department, according to Whitney's confession, warnings of raids were customarily sent by the police to the poolroom men.

When he came from the examination room he said that this whole business doesn't amount to a row of pins.

Some of the other witnesses would say as much as that but they apparently thought the matter more seriously than De Lacy, who never lets anything worry him. Capt. Brennan's appearance in Justice Jerome's chamber was the surprise of the day to

CORN KING PHILLIPS' BOOKS.

They Show That He Made \$1,000,000 But They Got Tangled Up.

CHICAGO, Aug. 13.—A partial statement of the condition of the George H. Phillips Company was made by the expert accountants late to-day. Mr. Phillips refused to go into details, but said the showing was better than anticipated. He said the company owed less than \$200,000 and was certain that the company would be able to pay in full. It was intended to give out a detailed statement of the operations in the May corn deal to the public, but several customers objected and it was decided not to do so.

The statement of the May corn pool shows that 14,325,000 bushels of corn were handled. The buying started at 25½ cents in December, and 8,000,000 bushels were bought under 40 cents. The price advanced to 45 cents in March and the first part of April, when a raid was made and the price was forced down to 41 cents. At that time Phillips' company had to put up more than \$1,000,000 in margin in forty-eight hours. There were 5,000,000 bushels of cash corn taken in May contracts, of which 1,500,000 bushels were shipped and a good part of it showed a heavy loss.

It was the handling of this cash corn that made trouble for the Phillips people. They were not accustomed to it, and any one in the grain trade who is not familiar with the ins and outs of a shipping business is likely to get tangled. The latter is what happened to the Phillips books, and it has taken four months nearly three months to straighten out the accounts, which were in a badly mixed condition.

The May corn was closed out at an average of 40½ cents and a partial statement on this basis. It showed a profit of a little less than eight cents a bushel, or more than \$1,000,000. There were 250 members in the pool (and the pool was a speculation) and the proportion to their holdings. The commissions were about \$17,000. The Phillips company failed to charge up the expenses of carrying the 5,000,000 bushels of cash corn and overpaid their customers one cent a bushel, or \$100,000.

PASSENGER TRAIN ROBBED.

Hold-Up in Indian Territory—Only \$1.50 Got Out of the Safe.

FORT WORTH, Tex., Aug. 13.—A heavily armed band of desperadoes held up the southbound passenger train on the Missouri, Kansas and Texas road near Caney, Indian Territory, at 1:30 o'clock this morning. They dynamited the express car, rifled a mail car and went through the entire train, collecting money from the passengers. The train was stopped by United States Marshals and a posse have been in pursuit. The robbers are believed to be from the New Oklahoma.

The train did not reach this city until nearly 10 this morning, four hours late. Passengers who came in tell of the robbery, for no trainman came further than Denison. They say that the masked men boarded the train after they had dynamited the express car and safe. They went from car to car, collecting money and relieving them of all the valuables and money they had. Just how much was secured is not known. They got only \$1.50 from the safe in the mail car, which was left at Muskogee, to be picked up by the "Katy" flyer. The mail clerk was forced to precede the robbers as they went through the train, collecting money and valuables, which they deposited in a small sack he carried. The passengers in many of the cars saw the money, handed over a fifty-cent piece, all she had. The robbers took pity on her and gave her back. Over seventy dollars were taken from the passengers before the train was allowed to proceed. The robbers began their work, Sam M. Gaines, superintendent of the Eleventh division of the railroad, says that it will be impossible to tell how much booty the robbers got for several days yet, but he does not think it was much.

A report, received here, that a United States Marshal's posse caught seven men soon after the robbery just west of Caney, who are believed to be a part of the gang. One is an ex-convict, while the others belong in the neighborhood of Caney.

WILL FIGHT A DUEL IN JERSEY.

Descendant of a Marquis and Another Man to Use Eggs on Field of Honor.

MORRISTOWN, N. J., Aug. 13.—George Kanous, secretary to Stuyvesant David Young, and Lord Raoul Arthur Phillip de Gentilly la Vallée, are going to fight a duel with eggs, if neither backs out. Lavalles is the challenger. He was annoyed by stories said to have been told around town about him by Kanous and demanded an apology. Kanous ignored the demand, and Lavalles sent him the following card:

"Sir: Lord Raoul Arthur Phillip de Gentilly la Vallée, of Paris, believing his honor to have been impugned by you, demands satisfaction. He will accept of you, or your second, to meet Lord Raoul Arthur Phillip de Gentilly la Vallée. The day and hour of meeting will be named by him in his reply."

Kanous sent this reply:

"Lord Raoul Arthur Phillip de Gentilly la Vallée: Kanous sends his most distinguished compliments to you, and in reply to your challenge, he declines to accept of you, or your second, to meet Lord Raoul Arthur Phillip de Gentilly la Vallée. The day and hour of meeting will be named by him in his reply."

When Lavalles read this he said he would get even with Kanous if he had to descend to eggs to do it. Kanous, who has been a baseball pitcher, says that after the duel his opponent will be disgraced as an Irish omelette.

D. B. HILL WITH US.

On His Way to the Sea With Naught to Say of Politics or Policy.

Ex-Senator Hill stopped overlast night in town on his way to Normandy-by-Sea, where he is going to spend a few days. He put up at the Hoffman House, and in the course of the evening several reports about the business that he had in hand on this trip were circulated. One was to the effect that the men in the Police Department who had been or expected to be indicted were going to hire Mr. Hill as their counsel. Hill had come down early in order to see the leaders of the Greater New York Democracy and talk with them. The Senator said that he was simply looking his journey here and had nothing to say about politics or anything else, except that he expected to have a good time at the beach.

CADET FENNER LEAVES.

Report That His Resignation From West Point Was Requested.

WEST POINT, Aug. 13.—Cadet M. S. Fenner, who was appointed from Texas and entered the Military Academy in June, has resigned and left here on Saturday. There would be nothing strange about this incident were it not for the fact that a young woman of Highland Falls, with whom Fenner kept company before entering the Academy, has also disappeared. All efforts to find the missing girl have failed and the parents are in great distress. It is reported that Fenner's resignation was compulsory.

CAPT. DIAMOND INDICTED NOW.

BLAMED FOR FAILING TO CLOSE UP DISORDERLY HOUSE.

Commissioner Murphy Suspend the Commander of the Fifth Street Station at Once on Hearing of Grand Jury's Action—Charge Constitutes a Misdemeanor.

Capt. Thomas J. Diamond of the East Fifth Street police station was indicted by the Grand Jury yesterday on a charge of wilful neglect of duty. The charge is one of misdemeanor in that he wilfully failed to suppress the disorderly house at 27 Stuyvesant Street run by Lena Schmidt, who paid Diamond's wardman, Bisset, \$500 "protection money" last January, for taking which Bisset is now under sentence of five and a half years' imprisonment and \$1,000 fine.

When Commissioner Murphy, up at Police Headquarters, heard of Capt. Diamond's indictment he promptly issued an order suspending him pending the disposition of his case in the courts.

The Grand Jury's finding was handed out to Recorder Goff in General Sessions at 1 o'clock. Diamond's lawyers, Abe Levy and Henry W. Unger, were in court at the time, and at once notified their client. He was given the right to appear in court, Lawyer Vorhaus and a friend of the latter, who was prepared to furnish bail.

Following the filing of the indictment a warrant for the captain's arrest was made out according to the usual custom, which does not require that a Judge issue it. It was given to Detective Sergeant McDonald, who didn't serve it because Diamond had appeared without waiting to be arrested.

For an assistant District Attorney Unger notified the Recorder of Diamond's indictment in court. "We learned of his indictment," said Mr. Unger, "and as his counsel, have voluntarily surrendered him."

Recorder Goff said that Diamond need not be arraigned just then but had better wait until the regular court session and appear for pleading when his case will appear on this morning's calendar.

Diamond and his lawyers left the court room and the captain went to Police Headquarters, where he was joined by Capt. Herlihy, in command at the Eldridge Street station when the Rev. Robert L. Padlock of the Pro-Cathedral protested to him concerning the activity and boldness of the immoral women of the Red Light District. Both men looked worried as they strolled through the building, which was called on Inspector Cortright, who informed him of his suspension by Commissioner Murphy.

Col. Murphy didn't suspend Wardman Bisset while the issue of the case against him was pending. Diamond is a Republican. He would not discuss his indictment. The testimony he gave during the Bisset trial in which he admitted the existence of the existence of the Schmidt woman's disorderly house, was greatly instrumental in bringing about his indictment, although Diamond says that he never saw the woman since the vice raid on the East Side drove out of the Red Light district the disorderly women who openly settled in Capt. Diamond's nearby precinct.

Commissioner Murphy put Sgt. Place in command of the East Fifth Street station after he had suspended Diamond.

MR. VERPLANK LITTLE HURT.

Struck From a Hunter, That Struck the Party.

FISHKILL, LINDING, Aug. 13.—The police are satisfied that the shooting of Samuel Verplank, on the Poughkeepsie road yesterday, was an accident. Mr. Verplank has the same opinion. Mr. Verplank's neighbors were glad to learn to-day that the first reports as to his injuries had been greatly exaggerated and that he was much less hurt than he believed. He discovered that he had been wounded when the examination of the wound showed that it had been made by a small birdshot of about the size known to sportsmen as "No. 6." Miss Rankin, who was with the Verplank in the carriage, was not hurt at all by the bullet which grazed her neck. There was barely a scratch to show for the wound to-day. Only one report of a gun, he members of the party say to-day, was heard by them.

George Weeks, a milkman, who has a place near where the accident occurred, said that three days ago he and his Italian son hunting in the woods along the Poughkeepsie road all yesterday afternoon. The road at the point where Mr. Verplank was shot had been recently cut through it noiselessly, so that there was little wonder that a careless hunter taking a snap shot at a red squirrel or a robin, overlooked the presence of the Verplank carriage.

Mr. Verplank is regarded as the kindest of employers and he has never had a quarrel with any of the men on his farm, so far as his neighbors can remember. It is true that he has had signs up on his property for years forbidding hunting, but the brickyard Italians have disregarded them and hunt indiscriminately ever since then.

WOMEN FIGHT OVER SIPP.

Chorus Girl Locked Up on Mrs. Sipp's Complaint After a Street Row.

Kitty Lynch, a chorus girl of 319 West 134th Street, got into trouble yesterday afternoon because of her liking for George H. Sipp, a married man who manages the Hotel Boulevard at 124th Street and Lexington Avenue. Mrs. Sipp caused her arrest for assault a month ago after a row at the hotel.

Sipp went to the police station and furnished bail for her, saying that he owned the Hotel Boulevard. In court the next day Mrs. Sipp said that her husband did not own a cent's worth of the hotel, whereupon he was arrested on a charge of perjury and held in \$1,500 for examination.

Mrs. Sipp saw her husband and the Lynch girl together at Lexington Avenue and 119th Street last night and there was a lively street row, with both women claiming Sipp. The chorus girl was finally locked up on a disorderly conduct charge made by the wife.

FIRE ENTHUSIAST DEAD.

Jewell of Blackwell's Island Filled With Volcanic With Fire Stories.

Felix Jewell, a fireman of the Engine 41 on Blackwell's Island, died yesterday while sitting in front of the engine house. He was 64 years old and had been a fireman for thirty-four years. During all of that time he had been out and saved all the lives that he could. He was a New York newspaper man, and his clippings fill a score or more of big scrap books. He was a fire enthusiast and was always ready to help a fellow fireman.

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FREDK. A. MOLLENAUER KILLED.

Well-Known Music Teacher Crushed Under a West Side Car.

Frederick A. Mollenauer, a well-known music teacher of Jersey City, was struck by a north-bound Sixth Avenue car at Church and Cortlandt streets at 11:56 o'clock last night and instantly killed. He was on his way to the Cortlandt Street ferry when the car, which was traveling at high speed, struck him. He was wedged underneath the front wheels of the car and his head was torn almost off. It was necessary to call a wrecking wagon to lift the car and release the body.

Mr. Mollenauer had spent the evening at a café in lower Broadway. With him were his two sons, Egon and Frederick H. and two friends. Shortly before 11 o'clock they decided to go home. One of the party hailed a cab and the two sons and their companions jumped into it. There was not room for Mr. Mollenauer, and he said he would prefer to walk to the Cortlandt Street ferry.

The cab went slowly along Church Street. Mr. Mollenauer keeping a short distance behind it. At Cortlandt Street it turned west. The cab was only a short distance down the street when Mr. Mollenauer started across the street. He was on his hands and knees, and it was probable that Mr. Mollenauer was watching them when the car struck him.

The motorman, John Samuelson, stopped the car as soon as he could. The body was taken to the Church Street police station and from there to an undertaker's shop.

Mr. Mollenauer was one of the best known musicians in Jersey City, where he kept the New Jersey School of Music for many years. The school was at 32 Montross Street. Mr. Mollenauer numbered among his pupils members of the leading families in town.

He was born in Germany 58 years ago. He was a son of Frederick Mollenauer, who was well known as a violinist about forty years ago. He came to this country when he was two years old. He leaves a widow and three sons. Egon, Frederick H. and Arnold. Egon is Treasurer of the Cuban Club and owns the company at 45 Wall Street, and his two brothers are interested in the same company.

ISTHMIUS TRAFFIC OPEN.

Insurgents Have Not Interrupted It Yet—Forced Loan at St. Colon.

Special Cable Despatch to THE SUN. COLON, Colombia, Aug. 13.—The French cruiser Suchet has arrived here from Martinique. The American gunboat Macias is expected to arrive about next Sunday. Transit traffic is free.

COLON, Colombia, Aug. 6.—Bands of insurgents or guerrillas, or whatever term may be applied to them, almost daily attack the sections along the line of the Panama Railroad. Their last operation included the carrying away of all the railroad's stock of dynamite and powder, kept in depot at the Bohio Quarry. They also went as far as the savanna on the outskirts of Panama and carried away all the horses and small stock they could lay their hands on.

It is reported here that on Saturday last, Gen. Alban, Governor of this department, called to his official residence ten of the richest and most prominent Conservatives, stating that he desired to have a conference with them. On their assembling, he disclosed to them the present conditions of affairs, and stated that he required \$400,000, which he obtained from them before they left the room. This sum, it is said, has been used for the payment of the Government troops. Gov. Alban next day, Sunday, came over to Colon and left in the Colombian gunboat Pionon for Cartagena, where, it is expected, he will enlist about 400 soldiers and return within a few days to Colon.

An American gunboat is shortly expected to arrive here for the protection of American interests and to fulfill treaty obligations for keeping open the transit traffic. Her presence would tend much to allay the present anxiety.

MISS LADENBURG HURT.

Thrown From Her Car in Newport—Automobile Frightened Horse.

NEWPORT, R. I., Aug. 13.—There was a serious accident on Bellevue Avenue this morning in which Miss Ladenburg, the daughter of Mrs. Adolf Ladenburg, barely escaped serious injury. As usual, the accident can be attributed to an automobile, which frightened the horse that Miss Ladenburg was driving. Miss Ladenburg was coming up the avenue in her motor, and was driving very fast. She was thrown from the car and landed on the ground. She was badly hurt, but is now recovering. Her father, Mr. Ladenburg, is a well-known business man in Newport.

Miss Ladenburg's horse took fright, and got beyond her control, and dashing upon the sidewalk collided with a tree. Miss Ladenburg was thrown out and her car demolished. It was during the driving hour and the young woman was soon surrounded by fashionable people, who picked her up and carried her to the hospital. It was thought that an arm was broken, but later it was found that there were some bad bruises, she was not seriously hurt.

CAUSES WRECK AND GOES INSANE.

Station Agent Gives the Wrong Orders and Then Tries to Kill Himself.

STOUT CITY, Ia., Aug. 13.—James Greene, station agent at Otho, through confusion yesterday morning, sent out a gravel train to meet a fast freight coming from the north. When he discovered that a collision was inevitable he lost his reason and became violently insane, being prevented from self-destruction by those around him. He is now under the influence of chloroform. It is feared his reason is permanently impaired.

Greene received orders to let a gravel train go to pass a freight at Port Dodge, but later orders told him that the freight would pass at Otho. By mistake he gave the first orders to the gravel train. The trains came together on a heavy grade, but the crews jumped and escaped injury.

J. P. MORGAN'S GRANDDAUGHTER.

Child Born to Mrs. Herbert L. Satterlee at Orchard Point.

GREAT NECK, L. I., Aug. 13.—Mrs. Herbert Satterlee, daughter of J. P. Morgan, gave birth to a daughter at 1 o'clock to-day at the family's summer residence, Orchard Point, near this village. News of the event was sent by telegraph to the city, and in a few hours congratulations began to arrive. Inquiry at the residence resulted in a statement that Mrs. Satterlee and the infant were doing well.

When Westward Bound.

The careful man who the Pennsylvania Railroad because it is speedy and sure.

For all summer so much to sleep. Ad.

Underberg Honorary Member.

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When sides are up, it is the only way to get a good night's sleep. Ad.

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BADGERS ROB DE LACY'S MAN.

TENDERLOIN DANGEROUS TO PARK ROW EXPERT.

His Bank Roll of \$1,450 Stolen, Which He Thinks Is Worth a "Hoiler"—Woman and Her Accomplice Arraigned and All the Money Eventually Recovered.

A New York gambler's doorknocker who is old enough to know better ran up against the badger game on Broadway last night and lost his bankroll.

On the Tenderloin Broadway he is down as Frederick W. Wallace of South Brooklyn, but unless the Tenderloin experts are wrong he is better known in Park row than in South Brooklyn, and tends down for Peter De Lacy.

Well, he was walking up Broadway in the Tenderloin, when a woman walking with another man accosted him and demanded the other man for him. She took the victim to a room in Twenty-eighth Street near Seventh Avenue. There her earlier companion, as afterward appeared, had hidden himself already in the adjoining room and presently he availed himself of an opportunity to examine the visitor's pockets and extract fourteen \$100 bills and \$50 in smaller money.

The victim did not discover his loss until he had got to the street. He ran upstairs again and found the doors locked against him. He kicked and shouted in vain. Fourteen hundred and fifty was more money than he could spare without a "hoiler," and he ran to the Tenderloin police station.

Here he was well known, and three plainclothes men were put at his service. They got to the house and broke in the doors just in time to find the man and the woman sitting by a back way.

The place had an opium layout as part of its furniture. The woman had a fox terrier. The man had a grip packed ready for travel.

Around at the station house the man said he was George Barnes, a salesman. The woman said she was Mrs. Louisa Woods and that she lived in the house where she was found. She objects to parting with the fox terrier and was violent when it was taken away from her. The man searched her and found one one-hundred-dollar bill, which the victim said looked very much like one of his one-hundred-dollar bills.

All the money was eventually found. The man had none of it.

PRISONER TOOK CHANCES.

Tried to Escape by Climbing Over the Iron Work of Niagara Bridge.

NIAGARA FALLS, N. Y., Aug. 13.—Frank Kinney, aged about 25 years, made a remarkable attempt to escape from the police here to-day. A few days ago the ticket office of the Niagara Falls Park and River Railway, on the Canadian side, was entered by thieves and a quantity of tickets stolen. The Canadian police learned that Kinney had given three tickets, alleged to have been stolen at that time, to a friend, and his suspicions led to his arrest this afternoon about 4 o'clock.

As the Canadian officer was taking Kinney to the police station in Niagara Falls he broke from the officer's grasp and made an attempt to secure liberty by reaching the American side of the Niagara River. With great speed he ran to the cantilever bridge, upon the deck of which he ran, and then, climbing over the side on the iron work, he made his way down the iron stairs to one of the lower stories. Reaching the chord he clambered and crawled as best he could over the river, which here is fully 150 feet below, the bridge standing at the foot of the river.

His progress was not rapid, for he was performing a perilous feat. The officers observed his hope, and they ran across the deck of the bridge, reaching the American side in advance of Kinney. Their call to him to surrender told him that he was headed off, and, crawling through the lattice work of the bridge, he made his way down through the center of it fully two-thirds of the way to the bottom.